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Daphne.Duke

From: Jocelyn.Boyd
Sent: Friday, January 31, 2014 11:16 AM
To: Daphne.Duke
Cc: charles.terreni@terrenilaw.com; selliot@elliottlaw.us; John M. S. Hoefer (jhoefer@willoughbyhoefer.com)
Subject: FW: Would you want to live here?

From: Land, Philip (L. Graham) [mailto:Philip_Land@lgraham.senate.gov]
Sent: Friday, January 31, 2014 9:46 AM
To: Scott, Dukes; Mary Coombs; Ralph Norman; Haley, Nikki; Campbell, Chad; Jocelyn.Boyd; baizedg@dhec.sc.gov; Elizabeth.Dieck@dhec.sc.gov; mathishl@dhec.sc.gov; robertck@dhec.sc.gov; WISEPF@dhec.sc.gov; mewka@dhec.sc.gov; harringc@dhec.sc.gov; SBIComm@scsenate.gov; rhvolute@hotmail.com; RayeFelder@schouse.gov; Mick.Mulvaney@mail.house.gov; dan.hanlon@mail.house.gov; Anne.Frate@usdoj.gov; Arnett, Dan; Hipp, Dawn; Edwards, Nanette
Subject: RE: Would you want to live here?

All,

Please know that Senator Graham is well aware of the problems you describe in Tega Cay. For those of you I have not met, I represent the Senator to this region. In the past, I have personally visited Tega Cay to meet with the Tega Cay Water Citizen Advisory Council. Currently, I have authorization from the TCWCAC, as well as the Mayor's office, for Senator Graham to inquire on their behalf to the Environmental Protection Agency.

Although dealing with a Federal Agency can take some time, I will work expeditiously and stay on top of this matter. Should you need any status updates, please don't hesitate to call or email.

Philip

PHILIP LAND

PIEDMONT REGIONAL OUTREACH DIRECTOR
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From: Scott, Dukes [mailto:Dukes.Scott@regstaff.sc.gov]
Sent: Wednesday, January 29, 2014 4:59 PM
To: Scott, Dukes
Cc: Mary Coombs; Ralph Norman; Haley, Nikki; Scott, Dukes; Campbell, Chad; Jocelyn.Boyd; baizedg@dhec.sc.gov; Elizabeth.Dieck@dhec.sc.gov; mathishl@dhec.sc.gov; robertck@dhec.sc.gov; WISEPF@dhec.sc.gov; mewka@dhec.sc.gov; harringc@dhec.sc.gov; SBIComm@scsenate.gov; rhvolute@hotmail.com; RayeFelder@schouse.gov; Mick.Mulvaney@mail.house.gov; dan.hanlon@mail.house.gov; Land, Philip (L. Graham);

Anne.Frate@usdoj.gov; Arnett, Dan; Hipp, Dawn; Edwards, Nanette

Subject: Re: Would you want to live here?

That should be agree "with" not "worth". Dukes

Sent from my iPad

On Jan 29, 2014, at 4:56 PM, "Scott, Dukes" <Dukes.Scott@regstaff.sc.gov> wrote:

We continue to work toward a solution. With the large investment it would take to upgrade or replace the system and the limited number of customers, I agree with Rep. Norman that the realistic solution is:

The city purchase Tega Cay Utilities from Utilities Inc., have York County purchase the system, the city install separate utility/ water/sewer/ lines.

Municipalities have access to grant money not available to privately owned utilities, tax free bonds and a larger customer base.

Thank you. Dukes Scott.

Sent from my iPad

On Jan 29, 2014, at 4:13 PM, "Mary Coombs" <mary.coombs@coombsmarketing.com> wrote:

Ralph,

Thank you for responding and giving me the background to the situation. How does it happen that our government has no rights to make this better? Water is a public utility isn't it? This is really an untenable situation for all of us. How could we have gotten here is my question? Here meaning being held hostage to a water company? Didn't someone see this could happen? Isn't that why our utilities are or should be regulated? This is horrendous for South Carolina as well as Tega Cay. Please get in front of this issue.

Sincerely,

Mary



Mary W. Coombs
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On Wed, Jan 29, 2014 at 3:46 PM, Ralph Norman
<rnorman@warrennormaninc.com> wrote:

Mary, thanks for your e mail regarding Utilities Inc. and I agree with everything you stated. The company is a "rogue" company that has run "ram shod" over their customers for as long as I can remember. I know of no resident or customer of Utilities Inc. that is satisfied or content with the service (or lack of service) the company purports to provide. The issue is this;

a) Utilities Inc. purchased the water/sewer distribution in Tega Cay many years ago (in the 1970's). There are two systems in Tega Cay, one run by the city of Tega Cay (TCUT) and the other portion owned and managed by Utilities Inc. Like any business that purchases a product or ongoing concern, they have the rights to manage, maintain, service, and charge (and get a return on their investment) as owner of the business.

b) Utilities Inc. is a utility that is accountable to the Public Service Commission that has a 8 member board of commissioners elected by the General Assembly (one from each of the Congressional districts and one at large). The candidates are screened by the Public Utilities Review Committee (members are appointed from the Senate, House,) They are charged with verifying increases, rates charged for water, sewer, storm water charges, returns on investments and actually have hearings when this occurs.

c) The Governor & General Assembly have no oversight , control, ability to sanction, on the Utilities Inc. code of conduct or any other system regulated by the PSC. I know many residents have written the Governor about this situation with Utilities Inc. however even if she wanted to, Governor Haley has absolutely no authority to act or give an executive order to demand accountability.

d) The lawyers hired by Utilities Inc. present their case to the Office of Regulatory Staff (another agency that gathers the necessary financial information on the utility) and then ultimately to the PSC.

Since I represent District #48 of which Tega Cay & River Hills is located in my district, I (and other house & senate members) have attended many of the hearings and testified against Utilities Inc. and along with the many residents presented evidence of the very things you cite in your e mail including lack of service, numerous sewer spills in Lake Wylie, overcharging of water/sewer, non-service, lack of responsiveness ect. however in most of the cases in the last 7-10 years, Utilities Inc. has been granted increases of some type.

We(George Sheppard, mayor of Tega Cay, Linda Stevenson, & many other residents) have met numerous times with official with DHEC both in Columbia and Rock Hill and they have been very diligent and steadfast in holding Utilities Inc. accountable by the only leverage they have which is levying fines & penalties which has occurred numerous times. Catherine Templeton, the head of DHEC has been very accommodating and has continued to have her staff monitor and apply stringent pressure to attempt to

make the company comply. The problem remains though in that they can only do so much to a company that considers fines/penalties a cost of doing business and is able to skirt the law unfortunately.

The only solution that I know is to do one of several things; a) purchase the rights serve Tega Cay from Utilities Inc. (in the past their price has been unaffordable), b) have York County purchase the system (same issue with pricing, c) Have an outside entity install separate utility/ water/sewer/ lines outside of the Right of Way owned by Utilities Inc. and bypass Utilities Inc. all together.

I know that many residents including Mayor Sheppard, Charlie Funderburk, city manager for Tega Cay, and others are working hard to find a solution however there is no easy answer and unfortunately will take time.

I am sorry to be so long winded and wordy however I felt that it was important for you being a new resident to understand the background behind this unfortunate problem. Thanks for your e mail and please contact me should you have any questions, Ralph Norman

From: Mary Coombs [<mailto:mary.coombs@coombsmarketing.com>]

Sent: Wednesday, January 29, 2014 1:33 PM

To: NikkiHaley@gov.sc.gov

Cc: cdscott@regstaff.sc.gov; Campbell, Chad; Jocelyn.boyd@psc.sc.gov; baizedg@dhec.sc.gov; Elizabeth.Dieck@dhec.sc.gov; mathishl@dhec.sc.gov; robertck@dhec.sc.gov; WISEPF@dhec.sc.gov; mewka@dhec.sc.gov; harringc@dhec.sc.gov; SBIComm@scsenate.gov; rhvolute@hotmail.com; Ralph Norman; RayeFelder@schouse.gov; Mick.Mulvaney@mail.house.gov; dan.hanlon@mail.house.gov; Philip_Land@lgraham.senate.gov; Anne.Frate@usdoj.gov

Subject: Would you want to live here?

I have lived in Tega Cay, SC for 8 years now and have moved here from Rochester, NY. In the time we have been here, we have had our water bill increased to almost \$100/month, compared to 30/quarter in NY. For the increase, we have experienced thousands of gallons of waste dumped into our Lake Wylie. Utilities Inc/Tega Cay Water Services have sent countless advisories to boil water, to not swim in the lake. Our neighbors have experience sewage backing up into their basements and houses, multiple water pipe breakages, and overall lack of proper services for the increase.

We get letters from Utilities Inc that the system is being worked on and should not have anymore problems, yet again, we recently have had over 9 spills into the lake. If we cannot get any action to fix this problem once and for all from Utilities Inc., where should we go to elevate this issue and get it fixed? Privatizing our water and ultimately our health, is NOT

WORKING! Would you want your family to live in a community like this? What do you suppose is happening to our property values? You govern this state, why would you tolerate this?

WE NEED HELP TO GET THIS PROBLEM FIXED! Please help us in Tega Cay!

Sincerely,
Mary



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